

**Declaration of Phyllis K. Kristal**  
**Exhibit 3**

# FISH & RICHARDSON P.C.

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**Date** October 9, 2001

**To** Graham Smith  
inventor  
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1450 Brooks Road  
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**From** Phyllis K. Kristal

**Re**  
Applicant:  
Application No.:  
Filing Date:  
Country: United States  
Your Ref.: 02-31-0354  
Our Ref.: 00167-441001

**Number of pages**  
**including this page** 28

**Message** Here's a draft of the application for review.